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16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA

18 IN RE INCRETIN-BASED
19 THERAPIES PRODUCTS
20 LIABILITY LITIGATION

21 *This Document Relates to All Cases*

Case No. 3:13-MD-02452-AJB-MDD

**CORRECTED MEMORANDUM IN
SUPPORT OF DEFENDANT NOVO
NORDISK INC.'S BILL OF COSTS**

22 Date: January 4, 2016
23 Time: 10:00 a.m.
24 Judge: Hon. Anthony J. Battaglia

1 In accordance with 28 U.S.C. § 1920 and Local Rule 54.1(a), Defendant
2 Novo Nordisk Inc. (“Novo Nordisk”) submits this Corrected Memorandum of
3 Costs in Support of its Bill of Costs, as well as a Corrected Bill of Costs and
4 Declaration of Heidi Levine. These corrected documents differ from the
5 previously-filed versions only by correcting a typographical error: Specifically, in
6 line 5 of Schedule A, the subtotal read “\$1,4304.55” when it should have read
7 “\$1,404.55,” which affected the total. The corrected total is \$95,049.25 rather than
8 \$107,949.25. Accordingly, Novo Nordisk claims \$95,049.25 in allowable costs, as
9 set forth in its Corrected Bill of Costs filed concurrently herewith. These costs are
10 correctly and accurately set forth in the Corrected Bill of Costs, are allowable by
11 law, and were necessarily incurred by Novo Nordisk during the course of this
12 litigation. (*See* Corrected Declaration of Heidi Levine in Support of Bill of Costs
13 (“Levine Decl.”), ¶ 1.)

14 Novo Nordisk seeks \$95,049.25 in deposition related costs. (*See* Levine
15 Decl., ¶ 2, Ex. 1 (“Schedule A”).) Such costs may be taxed pursuant to Fed. R. Civ.
16 P. 54, 28 U.S.C. § 1920(2), and Local Rule 54.1(b)(3). Novo Nordisk seeks the
17 costs of an original and one copy of any deposition, along with the reasonable
18 expenses of the deposition reporter. *See* 28 U.S.C. 1920(2); L.R. 54.1(b)(3); *see*
19 *also Ancora Techs., Inc. v. Apple, Inc.*, 2013 WL 4532927, at *6 (N.D. Cal. Aug.
20 26, 2013) (because the rules allow for the recovery of costs of “two versions of the
21 deposition transcript. . . the Court finds no reason to deny costs which conform to
22 this rule, even if the second copy is a rough ASCII or a video.”).

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1 A summary of these costs and their supporting invoices are attached to the
2 concurrently filed Corrected Declaration of Heidi Levine. (*See* Levine Decl. Exs.
3 1-53.)

4 Dated: December 15, 2015

Respectfully submitted,

DLA PIPER LLP (US)

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